

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JD ANDERSON, CORY HARDIN, ERIC LEE, BRETT
MESSIEH, DAVID MUHAMMAD, RANJITH
THIAGARAJAN, CHASE WILLIAMS, and TOKEN
FUND I LLC individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BINANCE, CHANGPENG ZHAO, YI HE, and ROGER
WANG,

Defendants.

Case No. 20-cv-02803

**JOINT STIPULATION AND
ORDER**

Plaintiffs JD Anderson, Cory Hardin, Eric Lee, Brett Messieh, David Muhammad, Ranjith Thiagarajan, Chase Williams, and Token Fund I LLC (together, “Plaintiffs”), individually and on behalf of all others similarly situated, and Defendants Binance, Changpeng Zhao, Yi He, and Roger Wang (collectively “Defendants,” and together with Plaintiffs, “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on April 3, 2020, Plaintiffs Eric Lee and Chase Williams filed a class action complaint against Defendants (ECF No. 1);

WHEREAS, on September 11, 2020, Plaintiffs filed the Amended Class Action Complaint (the “ACAC”) (ECF No. 43);

WHEREAS, on November 10, 2020, Defendants filed a letter requesting a pre-motion conference on Defendants’ anticipated motion to dismiss the ACAC (ECF No. 50) (the “Pre-Motion Letter”);

WHEREAS, on November 16, 2020, Plaintiffs filed their response (ECF No. 51) to the Pre-Motion Letter, in which Plaintiffs indicated their intent to file a Second Amended Class Action Complaint (“SACAC”);

WHEREAS, on December 8, 2020, the Court (ECF No. 52) terminated Defendants’ request for a pre-motion conference, granted Plaintiffs’ request to file the SACAC, granted Defendants leave to move against the SACAC, and ordered the Parties to submit by December 15, 2020, a joint status report with a proposed schedule for amending the complaint and briefing the motion to dismiss; and

WHEREAS, the Parties have conferred regarding the following proposed schedule for amending the complaint and briefing the motion to dismiss;

IT IS ACCORDINGLY HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the Parties, subject to the Court’s approval, as follows:

1. All prior deadlines related to Defendants’ response to the ACAC are vacated.
2. Plaintiffs shall file the SACAC within fourteen (14) days after the date on which the Court so-orders this proposed schedule.
3. Defendants shall answer, move against, or otherwise respond to the SACAC sixty (60) days after the date on which Plaintiffs file the SACAC.
4. Plaintiffs shall oppose any motion to dismiss sixty (60) days after the date on which Defendants file such motion.
5. Defendants shall file any reply in further support of any motion to dismiss forty-five (45) days after Plaintiffs file their opposition.

6. For the avoidance of doubt, Defendants shall not be required to file an additional pre-motion letter pursuant to Rule 2.A of the Court's Individual Practices prior to filing any motion to dismiss contemplated by this stipulation.

7. Any deadline contemplated by this stipulation that falls on a weekend or federal holiday shall be extended to the next business day.

Date: New York, NY
December 14, 2020

Respectfully submitted,

/s/ Jordan A. Goldstein

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Attorneys for Defendants

SO ORDERED: 

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: December 15, 2020